

REMARKS

Favorable reconsideration of this application is requested in view of the following remarks. Claims 1, 2 and 4-31 remain actively pending in the case. Reconsideration of the claim is respectfully requested.

In paragraph 4 on page 2 of the Office Action, claims 1, 2, 4, 6, 7, 9, 16, 22-25 and 27-31 were rejected under 35 USC §103(a) as being unpatentable over Long et al. (US 2002/0095439) and further in view of Kuchta (US 5,805,777). In paragraph 5 on page 6 of the Office Action, dependent claims 5, 8, 10-12 and 14-15 were rejected under 35 USC §103(a) as being unpatentable over Long and Kutcha and further in view of Rzepkowski et al. (US 6,741,270). In paragraph 6 on page 9 of the Office Action, dependent claims 17-21 were rejected under 35 USC §103(a) as being unpatentable over Long and Kutcha and further in view of Arledge Jr. et al., (US 6,535,294). In paragraph 7 on page 11 of the Office Action dependent claims 13 and 26 were rejected under 35 USC §103(a) as being unpatentable over Long and Kutcha and further in view of Bolnick et al. (US 6,043,817). Applicants respectfully traverse the rejections.

First, Long fails to teach or suggest at least determining an amount of white space on the page layout. Rather, Long discloses evening out unused space around an image in an attempt to balance white space above and below an image, i.e., a Vertical Space Distribution Rule. Long similarly discloses an attempt to balance white space to the left and right of an image, i.e., a Horizontal Space Distribution Rule. *Sew* [0047] and [0048]. The Vertical and Horizontal Space Distribution Rules merely attempt to distribute white space uniformly around an image 603, wherein the image is bounded in a white space well 602 within a page layout 601 (i.e., to center the image in a white space well). However, Long does not determine the amount of white space on the page layout. In sharp contrast, Applicants' invention determines the amount of white space on the page layout to be used in selecting a page layout having a minimal amount of white space from said plurality of page layouts.

Kuchta fails to remedy the deficiencies of Long as Kutcha also fails to teach or suggest at least determining an amount of white space on the page layout. Rather, Kuchta merely discloses a printer control interface between a central processor 12, such as a personal computer having software modules 32,

34, and a number of printers 14, 16, 18, and 20. *See* Col 3, lines 4-9. A features information data structure (i.e., Table 9) is used to send job information to or receive job information from the modules 32, 34. *See* Col 10, lines 44-46. The features information data structure provides a scaleType, which is a bit assignment wherein each bit is used to designate a type of scaling requested for a print job by a host. When the bit designated as bit 2, Scale to Fit, is asserted, an image will be scaled to the maximum size that will fit in the printable area of the selected media without cropping the image or changing the aspect ratio. If the image is not the same aspect ratio of the printable area, some white space will be left in the printable area. *See* Col 12, lines 51-56. If bit 3, Scale to Fill, is asserted, the image will be scaled to the minimum size that will fill the printable area with the selected media, without leaving any white space or changing the aspect ratio. However, it is clear that Kuchta does not determine an amount of white space on the page layout.

Second, Long fails to teach or suggest at least selecting a page layout having a minimal amount of white space from said plurality of page layouts as recited in Applicants' independent claims. As discussed above, Lone discloses vertical and horizontal space distribution rules that attempt to uniformly distribute white space surrounding an image. *See* [0076]. Long uniformly distributes white space to optimize a cost function base on centering images in a white space well on a page layout. *See* [0078]. Further, Long discloses that images are initially placed upon a page in accordance with a first predetermined layout pattern. The images are subsequently adjusted with reference to a number of rules. *See* [0096]. However, the rules in Long do not disclose, expressly or inherently, selecting a page layout having a minimal amount of white space from said plurality of page layouts. Moreover, Long does not disclose determining the amount of white space on the page layout to be used in selecting a page layout having a minimal amount of white space from said plurality of page layouts.

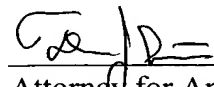
Kuchta fails to remedy the deficiencies of Long as Kutchta also fails to teach or suggest at least selecting a page layout having a minimal amount of white space from said plurality of page layouts. Rather, Kuchta is directed to a printer control interface for selecting a target printer on a network. *See* Col. 2, lines 19-29.

Thus, it is submitted that further consideration of claim rejections under 35 USC 103(a) upon the citing of the third, fourth and fifth applied prior art references to Rzepkowski, Arledge and Bolnick is moot, inasmuch as the combination of Long, Kuchta, Rzepkowski, Arledge and Bolnick still lack any teaching, disclosure, or suggestion concerning determining an amount of white space on the page layout and selecting a page layout having a minimal amount of white space. Therefore, in view of the above remarks, Applicants' independent claims are patentable over the cited references.

Because claims 2, 4-15, 28-31 depend from claim 1, claims 17-21 depend from claim 16, and claim 26 depends from claim 25, include the features recited in the independent claims, Applicants respectfully submit that claims 2, 4-15, 17-21, 25 and 28-31 are also patentably distinct over the cited references. Nevertheless, Applicants are not conceding the correctness of the Office Action's rejection with respect to such dependent claims and reserve the right to make additional arguments if necessary.

In view of the foregoing it is respectfully submitted that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.